## Remarks

### 1. Summary of the Office Action

In the office action mailed September 15, 2009, the Examiner rejected claims 1-37 under 35 U.S.C. § 103 as being allegedly unpatentable over U.S. Patent 7,046,649 (Awater) in view of U.S. Patent 6,473,419 (Gray).

### 2. Status of the Claims

Applicant has amended claims 1, 6, 8, 16, 20, 24, 26 and 34 to clarify the nature of the shared-communications channel recited in the claims. Currently pending are claims 1-37. Claims 1, 6, 8, 16, 20, 24, 26, and 34 are independent, and claims 2-5, 7, 9-15, 17-19, 21-23, 25, 27-33, and 35-37 are dependent.

### 3. Response to Rejections

The Examiner rejected claims 1-37 under 35 U.S.C. § 103 as being allegedly unpatentable over Awater in view of Gray. Under MPEP § 2142, a rejection under 35 U.S.C. § 103 must be supported by a clear, non-conclusory articulation of the reasons the claimed invention would have been obvious at the time the invention was made, based on sound factual underpinnings. Applicant respectfully submits that the claims are allowable over the cited references for at least the reason that the combination of the limited teachings of Awater and Gray does not reasonably and logically lead to the methods and apparatuses presented in independent claims 1, 6, 8, 16, 20, 24, 26, and 34.

Independent claim 1 recites, "wherein said first station communicates via a shared-communications channel in a wireless local area network in accordance with a first modulation

scheme; and… from the second station, transmitting a message via the shared-communications channel requesting that a third station enable transmission protection." The other independent claims contain similar elements. *See* claim 6 ("receiving a first frame from a first station via a shared-communications channel in a wireless local area network"); claim 8 ("determining a power save status of a first station that communicates via a shared-communications channel in a wireless local area network"); claim 16 ("transmitting from a first station a first frame comprising a duration field value to a second station via a shared-communications channel in a wireless local area network"); claim 20 ("a processor for determining a power save status of a first station wherein the first station communicates via a shared-communications channel in a wireless local area network"); *see also* claims 24, 26, and 34 ("via a shared-communications channel in a wireless local area network").

In rejecting the independent claims, the Examiner identified a Bluetooth transceiver, an IEEE 802.11 transceiver, and an interoperability device shown in the integrated device in Awater as three separate stations communicating via a shared channel. (Office action, page 3). Applicant respectfully submits that the lines shown in Awater are not a shared-communications channel in a wireless local area network, as recited in the amended independent claims. Awater teaches a single device capable of switching between two modes. *See* Awater, col. 5, lines 15-18, ("The invention serves to solve a fundamental problem associated with providing both a Bluetooth radio system and an IEEE 802.11 radio system in a single device."). Figure 1 and Figure 2 in Awater only further clarify that Awater is describing a single, integrated device. *See* Awater, col. 5, lines 27-30; *see also* Awater, col. 7, lines 31-40 (describing a "dual mode transceiver"). As such, the Bluetooth radio, IEEE 802.11 transceiver, and "interoperability device" cited by the Examiner are not distinct stations communicating via a shared-

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, IL 60606
(312)913-0001

communications channel in a wireless local area network, but are instead components of a single device.

Further, the control line architecture shown in Awater is not a shared-communications channel, and is instead a set of control lines leading into and out a component within an integrated device. In describing Fig. 1, Awater states, "the IEEE 802.11 MAC functional element 108 receives and transmits IEEE 802.11 packets to and from the interoperability device 106 via lines 120." *See* Awater, col. 5, lines 63-67. Awater describes a distinct, separate set of lines for the Bluetooth side of the integrated device. *See* Awater, fig. 1, elements 118 and 122; col. 6, lines 12-17. As such, in addition to not being in a wireless local area network, the control lines depicted in Awater are not a shared-communications channel, and are instead distinct connections between the Awater's interoperability device and other components within a single, integrated unit.

At best, the combination of Awater and Gray teaches a device capable of switching between two communication modes to allow communication in more than one mode. As such, the combination of the cited references does not reasonably or logically lead to the methods and apparatuses presented in the independent claims. Thus, Applicants respectfully submit that independent claims 1, 6, 8, 16, 20, 24, 26, and 34 are allowable.

Applicant notes that claims 2-5, 7-8, 10-15, 17-19, 21-23, 25, 27-33, and 35-37 depend from allowable independent claims 1, 6, 8, 16, 20, 24, 26 and 34, respectively, and are thus allowable due to their dependencies. Consequently, and without conceding the Examiner's other statements, Applicant respectfully submits that all of the pending claims are allowable.

## Conclusion

Applicant respectfully submits that, in view of the remarks above, all of the pending rejections have been overcome. Applicants therefore respectfully request allowance of all the pending claims. The Examiner is invited to call the undersigned at (312) 913-0001 with any questions or comments.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: December 15, 2009

By: /Thomas J. Loos/
Thomas J. Loos
Reg. No. 60,161

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, IL 60606
(312)913-0001